



**Talbot County Planning Commission
Decision Summary**

Wednesday, November 3, 2021 at 9:00 a.m.
Bradley Meeting Room
11 N. Washington Street, Easton, Maryland

Archived audio and video stream of the meeting is available at:

[Talbot County Meeting Videos - Talbot County, Maryland](https://www.talbotcountymd.gov)
(talbotcountymd.gov)

Attendance:

Commission Members:

- Phillip “Chip” Councill, Chairman
- William Boicourt, Vice Chairman
- Michael Strannahan
- Lisa Ghezzi

Staff:

- Miguel Salinas, Planning Officer
- Brennan Tarleton, Assistant Planning Officer
- Chase Phillips, Planner II
- Elisa Deflaux, Planner II
- Andy Meehan, Planning Commission Counsel
- Mike Mertaugh, Assistant County Engineer
- Ray Clarke, Director of Public Works

1. Call to Order—Commissioner Councill called the meeting to order at 9:00 am.

2. Decision Summary Review—

October 6, 2021- The Commission noted the following correction to the draft decision summary:

- a. Line 221; Correct M’Cowlwel to M’Connel

Commissioner Boicourt moved to approve the October 6, 2021, Decision Summary with amendments. Commissioner Strannahan seconded the motion.

<u>Vote</u>	<u>4-0-1</u>
FOR:	4- Councill, Boicourt, Ghezzi, Strannahan
AGAINST:	0
ABSTAIN:	0
ABSENT:	1-Spies

October 6, 2021 Work Session-

Commissioner Ghezzi moved to approve the October 6, 2021 Work Session Decision Summary. Commissioner Boicourt seconded the motion.

<u>Vote</u>	<u>4-0-1</u>
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53 FOR: 4- Councill, Boicourt, Ghezzi, Strannahan
54 AGAINST: 0
55 ABSTAIN: 0
56 ABSENT: 1-Spies
57

58 October 7, 2021- The Commission noted the following corrections to the draft decision
59 summary:

- 60 a. Line 6; Correct day to Thursday
- 61 b. Reflect that Andy Meehan, Planning Commission Counsel, attended via
62 teleconference

63
64 **Commissioner Strannahan moved to approve the October 7, 2021, Decision**
65 **Summary with amendments. Commissioner Boicourt seconded the motion.**
66

67 Vote 4-0-1
68 FOR: 4- Councill, Boicourt, Ghezzi, Strannahan
69 AGAINST: 0
70 ABSTAIN: 0
71 ABSENT: 1-Spies
72

73 **3. Old Business**— None

74
75 **4. New Business**

- 76
77 **a. Applicant:** Charles Strasburger
- 78 **File No.:** 21-1726
- 79 **Agent:** Lyndsey J. Ryan
- 80 **Request:** Special Exception – to construct a 40’ private pier on his property
81 which consist of two (2) noncontiguous parcels conveyed by same
82 deed that has a minor public road that divides the lots. The lot for
83 the proposed pier does not contain a principal dwelling.
- 84 **Location:** 9779 Leeds Landing Rd, Easton MD 21601
85 Map 24, Grid 02, Parcel 60
- 86 **Zoning:** VR/CAO
87

88 Commissioner Ghezzi is an applicant and therefore recused herself from the application.
89 Dr. Keith Ghezzi appeared before the remaining Planning Commission members.
90

91 The applicant is seeking a recommendation by the Planning Commission to the Board of
92 Appeals for a Special Exception to install a residential accessory pier on a lot without a
93 principal residential structure. Staff recommends a favorable recommendation to the Board
94 of Appeals for approval of the Special Exception application with conditions noted below.
95

- 96 1. Construction of the pier must be implemented and diligently pursued toward completion
97 within 18 months of the dated on which it was approved.
98

99 2. A buffer management plan must be provided by the applicant for any removal of
100 vegetation proposed for the project
101

102 **Staff Presentation:**

103 Elisa Deflaux, Planner II
104

105 **Applicant Presentation:**

106 Lyndsey J. Ryan, Booth, Booth, Cropper & Marriner, PC
107

108 **Public Comment**— None
109

110 **Commissioner Strannahan moved that the Planning Commission make a favorable**
111 **recommendation to the Board of Appeals to approve the Special Exception for**
112 **Appeal # 21-1726 to install a private pier as an accessory residential structure on a**
113 **lot without a principal use for Charles Strasburger with staff conditions.**
114 **Commissioner Ghezzi seconded the motion.**
115

116	Vote	4-0-1
117	FOR:	4- Councill, Boicourt, Ghezzi, Strannahan
118	AGAINST:	0
119	ABSTAIN:	0
120	ABSENT:	1-Spies

121

122 **b. Applicant: Gary & Susan Dunn**
123 **File No.: L1365**
124 **Agent:** Chris Waters, Davis, Bowen and Friedel, Inc.
125 **Request:** Preliminary Major Revision-
126 Revise property lines between Deed Tracts I, II, and III
127 **Location:** 22020 Benders Lane, Sherwood, MD 21665
128 Map 38, Grid 17, Parcel 11
129 **Zoning:** RC/CAO
130

131 The applicant is seeking Planning Commission approval of a Major Revision Plat-
132 Preliminary Plan to revise the property lines of Tax Parcel 11, Deed Tracts 1-4 of “Bald
133 Eagle Point” as follows: (1) Establish Deed Tract 1 as a buildable lot (2) Establish Deed
134 Tract 3 as a buildable lot (3) establish a 20’ access easement over Deed Tract 3 to allow
135 for access to Deed Tract 2 to Benders Lane and (4) formally abandon Deed Tract 4. The
136 applicant is requesting a waiver from the Planning Commission to allow for the existing
137 pier on Deed Parcel I to remain on the lot, as an accessory use where no principal use or
138 structure currently exists. Should the Planning Commission approve the Preliminary Major
139 Revision Plat, staff recommends the following conditions:

140 1. The applicant shall take all of the required steps and acquire all necessary approvals,
141 including any waivers, required for a Major Revision Plat as spelled out in the *Talbot*
142 *County Code*.
143

144 2. The applicant shall comply with and address all additional TAC comments from the
145 October 7, 2021 meeting, including the completion of a Certificate of Nonconformity, prior
146 to Final Plat submittal.

147
148 **Staff Presentation:**

149 Elisa Deflaux, Planner II

150
151 **Applicant Presentation:**

152 Lyndsey J. Ryan, Booth, Booth, Cropper & Marriner, PC

153
154 **Public Comment—** None

155
156 **Commissioner Boicourt moved that the Planning Commission approve # L1365**
157 **Major Revision Plan – Preliminary Plan for Gary and Susan Dunn subject to staff**
158 **conditions. Commissioner Ghezzi seconded the motion.**

159
160 Vote 4-0-1
161 FOR: 4- Councill, Boicourt, Ghezzi, Strannahan
162 AGAINST: 0
163 ABSTAIN: 0
164 ABSENT: 1-Spies

165
166 **Commissioner Boicourt moved that the Planning Commission approve a pier waiver**
167 **for Gary and Susan Dunn subject to staff conditions. Commissioner Strannahan**
168 **seconded the motion.**

169
170 Vote 4-0-1
171 FOR: 4- Councill, Boicourt, Ghezzi, Strannahan
172 AGAINST: 0
173 ABSTAIN: 0
174 ABSENT: 1-Spies

175
176 **c. Applicant: Talbot County**
177 **Res: 309**
178 **Request:** Consideration of consistency with the Talbot County
179 Comprehensive Plan
180 **Project:** Resolution 309 proposes to amend the Talbot County
181 Comprehensive Water & Sewer Plan to reclassify and remap
182 certain real property located at 24108 Mt. Pleasant Road, St.
183 Michaels, MD 21663, and shown on Tax Map 32 as Parcel 85
184 from Unprogrammed to “S-1” immediate priority status.

185
186 Requests were filed for Amendment to the Talbot County Comprehensive Water and
187 Sewer Plan for change of Priority Status to reclassify and remap certain real property
188 located at 1006 S. Talbot Street, St. Michaels, Maryland, 21663 and certain real property
189 located at 1004 S. Talbot Street, St, Michaels, Maryland, 21663 from “S-3”, Future

190 Planned Area for Sewer Service (period of 6-10 years) to "S-1" immediate priority status.
191 The properties are improved with single-family detached residential homes and are
192 served by on-site sewage disposal systems. The County Engineer confirmed the
193 feasibility of public sewer extension and requested the Office of Law to prepare a
194 Resolution for the County Council's consideration of introduction. Sewer service for the
195 property will be served from the Region II Wastewater Treatment Plant in St. Michaels
196 with an allocation of 1 Equivalent Dwelling Unit (EDU) of sewer capacity for each
197 property and a peak flow limited to 125 gallons per pay per EDU.
198

199 **Staff Presentation:**

200 Ray Clarke, Director of Public Works
201

202 **Public Comment** — None
203

204 **Commissioner Ghezzi moved that the Planning Commission certify Resolution 309**
205 **to be consistent with the 2016 Talbot Comprehensive Plan and the seven relevant**
206 **standards in accordance with Environment Article § 9-506(a)(1) of the Maryland**
207 **Annotated Code. Commissioner Boicourt seconded the motion.**
208

209	<u>Vote</u>	4-0-1
210	FOR:	4- Councill, Boicourt, Ghezzi, Strannahan
211	AGAINST:	0
212	ABSTAIN:	0
213	ABSENT:	1-Spies
214		

215 **5. Discussion Items—**

216 **Res. No.:** 281

217 **Request:** Discussion of Planning Commission's certification of consistency
218 with the Talbot County Comprehensive Plan with respect to
219 Resolution 281 and possible recommendations and/or other
220 actions, including reconsideration of the previous certification
221 Resolution 281, Lakeside project and existing systems.
222

223 The Planning Commission previously voted on the Resolution twice. On June 10,
224 2020 Commissioner Spies moved to recommend to the County Council that Amendment
225 No. 1 to Resolution 281 is consistent with the Comprehensive Plan based on the multiple
226 days of testimony. At the June 3rd Planning Commission meeting, the Commissioners
227 reviewed the seven standards and found that Amendment No. 1 to Resolution 281 met
228 those standards and therefore is consistent with the Comprehensive Plan. Commissioner
229 Strannahan seconded the motion. The motion Carried (3-2, Boicourt and Ghezzi
230 opposed). On October 7, 2021 Commissioner Boicourt moved to rescind the
231 recommendation to The County Council that Amendment No. 1 to Resolution 281 is
232 consistent with the Comprehensive Plan. Commissioner Ghezzi seconded the motion. This
233 motion did not carry (2-3, Councill, Spies, Strannahan opposed).
234

235 Commissioner Boicourt and Commissioner Ghezzi expressed that they still would vote that
236 Resolution 281 is inconsistent with the Comprehensive Plan, however all four

237 Commissioners in attendance did agree that they were concerned over adding 120 homes to
238 the current Trappe wastewater plant and the issues that may cause. A discussion occurred
239 over writing a letter to the Council County to express concerns. Mr. Strannahan agreed to a
240 strong letter but not to include the word “inconsistent”.

241
242 Counsel explained that, after a motion has been defeated, the only way to bring the same
243 motion up again during the meeting is to move to reconsider the motion. A person from the
244 prevailing side must make the motion. The Chairman is unable to make the motion. The
245 Commission took a ten minute break. When the meeting re-adjourned, Commissioner
246 Councill (Chairman) stated that he was turning the meeting over to Commissioner
247 Boicourt (Vice Chairman). Commissioner Boicourt then acted as Chairman and
248 Commissioner Councill made a motion to reconsider. Once the motion was made and
249 seconded, Commissioner Councill then resumed the Chairman position.

250
251 **Commissioner Councill moved to reconsider their decision on October 7, 2021 to**
252 **rescind the recommendation to The County Council that Amendment No. 1 to**
253 **Resolution 281 is consistent with the Comprehensive Plan. Commissioner Ghezzi**
254 **seconded the motion.**

255
256 Vote 3-1-1
257 FOR: 3- Councill, Boicourt, Ghezzi,
258 AGAINST: 1- Strannahan
259 ABSTAIN: 0
260 ABSENT: 1-Spies

261
262 Commissioners continued to discuss language for a motion.

263
264 **Commissioner Ghezzi moved the Planning Commission finds that the initial hook-up**
265 **of up to (120) homes from the Lakeside Development into the existing Trappe**
266 **wastewater plant is inconsistent with the Talbot County Comprehensive Plan until the**
267 **Trappe wastewater treatment plant meets ENR standards and any flow coming from**
268 **the Lakeside Development should meet ENR standards. Commissioner Boicourt**
269 **seconded the motion.**

270
271 Vote 3-1-1
272 FOR: 3- Councill, Boicourt, Ghezzi,
273 AGAINST: 1- Strannahan
274 ABSTAIN: 0
275 ABSENT: 1-Spies

276
277 **6. Staff Matters—** None

278
279 **7. Work Sessions—**

280
281 On November 4, 2021 at 12:30 pm, there will be a Joint Work Session with the Planning
282 Commission and Public Works Advisory Board to discuss matters of mutual interests that
283 impact both bodies.

284
285
286
287

8. Commission Matters —

9. Adjournment– Commissioner Council adjourned the meeting at 11:25 am.